REMARKS

In the Final Office Action, the Examiner rejected claims 20-38 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,892,905 to Brandt et al. (Brandt) in view of U.S. Patent Publication No. 2004/0073631 to Keorkunian et al. (Keorkunian).[1]

Claims 20-38 are currently pending.

The Examiner rejected claims 20-38 under 35 U.S.C. §103(a) as unpatentable over Brandt in view of Keorkunian. Applicants respectfully traverse this rejection.

The Examiner alleges that Brandt discloses at col. 8, lines 31-39 and col. 11 lines 15-24 the following feature of claim 20: "upon receiving the first request, the server computer establishing a session by allocating a resource at the server computer, the resource including an identifier, and returning, in response to the first request, a predetermined close instruction to the browser, the close instruction carrying the identifier identifying the session at the resource." Applicants disagree with the Examiner's allegation, and submit that a scrutiny of the cited passages reveals that Brandt lacks the above-noted feature of claim 20.

For example, Brandt at col. 8, lines 31-39 describes the use of a "userID" and a "password" and how the userID and password are stored at the browser and sent back to the web server application. Applicants submit that Brandt's userID and password, at best, merely provide security by authenticating a user. As such, Brandt's userID and password do not constitute the "first request" recited in claim 1 since Brandt's userID

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[1] Applicants respectfully point out to the Examiner that his passage cited from M.P.E.P 706.02(f)(1) assumes the "earlier-filed application [e.g., the provisional] has proper support for the subject matter," and the Examiner has made no showing regarding this assumption. Until such a showing is made, Applicants submit that Keorkunian does not qualify as prior art under 35 U.S.C. §103(a).

and password do not relate to establishing a session at the server computer. Nor does Brandt's userID and password relate to a server computer returning, in response to the first request, a predetermined close instruction to a browser.

Regarding Brandt col. 11 lines 15-24, that passage merely discloses a so-called "DISCONNECT API" and is completely silent with respect to the claimed "returning, in response to the first request, a predetermined close instruction to the browser, the close instruction carrying the identifier identifying the session at the resource." Rather than sending from a server to the browser a "predetermined close instruction" used later by the browser to initiate a close, Brandt's "DISCONNECT API" discloses a disconnect mechanism initiated by a software application 342 at a serving computer system. Brandt FIG. 3; col. 17, lines 5-25. In view of the foregoing, Brandt fails to teach or suggest at least the following feature of claim 20: "upon receiving the first request, the server computer establishing a session by allocating a resource at the server computer, the resource including an identifier, and returning, in response to the first request, a predetermined close instruction to the browser, the close instruction carrying the identifier identifying the session at the resource." Moreover, since Keorkunian fails to cure the noted deficiencies of Brandt, claim 20 is patentable over Brandt and Keorkunian, whether taken alone or in combination, and the rejection under 35 U.S.C. §103(a) of claim 20 and claims 21-26, at least by reason of their dependency from independent claim 20, should be withdrawn.

The Examiner also alleges that <u>Brandt</u> at col. 5, lines 5-67, col. 8, lines 31-39, col. 11, lines 15-24, and col. 17, lines 6-24 discloses the following feature of claim 20: "upon unloading at the browser the predetermined close instruction received from the server computer, sending a second request from the client computer to the server computer to indicate initiation of the predetermined close instruction by the browser, the second request carrying the identifier and indicating to de-allocate the resource at the server computer." Applicants disagree with the Examiner's allegation since a closer scrutiny of those passages reveals that they fail to disclose or suggest the above-noted feature of claim 20.

For example, col. 5, lines 5-67 merely provides a general description of web browsers, while col. 8, lines 31-39 describes userIDs and passwords (as noted above). <u>Brandt</u> col. 11, lines 15-24 and col. 17, lines 6-24 both relate to <u>Brandt</u>'s "DISCONNECT API," which as noted above, is a server-initiated disconnect approach rather than one initiated by the browser. Indeed, the Examiner appears to acknowledge <u>Brandt</u>'s shortcomings by using <u>Keorkunian</u> at paragraphs 177-181 for the proposition of "indicat[ing] initiation of the predetermined close by the browser." Final Office Action, page 4.

However, <u>Keorkunian</u> at paragraphs 177-188 reveals that <u>Keorkunian</u> is like <u>Brandt</u> because <u>Keorkunian</u> implements a server-initiated disconnect approach rather than one initiated by the browser. Specifically, <u>Keorkunian</u> describes receiving a log-in message [801] from a User Interface Component (para. 0178) as well as receiving a user disconnect message [804] from the User Interface Component (para. 0181). But the User Interface Component is not a browser (or, for that matter, at the client computer of the browser) since <u>Keorkunian</u> clearly describes the User Interface

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Component as being a "portal" component (see, e.g., <u>Keorkunian</u> at para. 0048 ("The User Interface Component [113] is a component developed and maintained by the Portal."); see also FIG. 2 at 221 (showing content server node 220 including user interface component)). Because <u>Keorkunian</u>'s User Interface Component does not constitute a browser (or the browser at the client), <u>Keorkunian</u>'s User Interface Component cannot possibly suggest or disclose the following feature of claim 20: "upon unloading at the browser the predetermined close instruction received from the server computer, sending a second request from the client computer to the server computer to indicate initiation of the predetermined close instruction by the browser, the second request carrying the identifier and indicating to de-allocate the resource at the server computer."

In view of the foregoing reasons, neither <u>Brandt</u> nor <u>Keorkunian</u>, whether taken alone or in combination, discloses or suggests at least the following feature of claim 20: "upon unloading at the browser the predetermined close instruction received from the server computer, sending a second request from the client computer to the server computer to indicate initiation of the predetermined close instruction by the browser, the second request carrying the identifier and indicating to de-allocate the resource at the server computer." Therefore, claim 20 is patentable over <u>Brandt</u> and <u>Keorkunian</u>, and the rejection under 35 U.S.C. §103(a) of claim 20 and claims 21-26, at least by reason of their dependency from independent claim 20, should be withdrawn.

Independent claims 27 and 33, although of different scope, include features similar to those noted above for claim 20. For at least the reasons given with respect to claim 20, claims 27 and 33 are patentable over <u>Brandt</u> and <u>Keorkunian</u>, and the rejection under 35 U.S.C. §103(a) of claims 27 and 33 and claims 28-32 and 34-35, at

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least by reason of their dependency from independent claims 27 and 33, should be withdrawn.

Regarding claim 36, it defines a method for communication between a client computer and a server computer, both computers using the hypertext transfer protocol (HTTP) and the client computer using an HTTP-browser. Moreover, claim 36 recites a combination including, among other things, the following feature: "returning a close instruction to the client computer, the close instruction including the time-out period (T) and the identifier." The Examiner appears to allege that Brandt at column 17 teaches the above-noted feature of claim 36, but a closer scrutiny of the cited passages reveals that Brandt is completely silent with respect to the noted feature. Moreover, for at least the reasons given above, Keorkunian fails to cure the noted deficiencies in Brandt. Accordingly, claim 36 is patentable over Brandt and Keorkunian, whether taken alone or in combination, and the rejection of claim 36 under 35 U.S.C. §103(a) should be withdrawn.

Claim 37, although of different scope, includes features that are similar to those ones noted above for claim 36. For at least the reasons noted for claim 36, claim 37 is patentable over Brandt and Keorkunian, whether taken alone or in combination, and the rejection of claim 37 under 35 U.S.C. §103(a) should be withdrawn.

Regarding claim 38, it recites a combination including, among other things, the following feature: "returning a predetermined response page to the browser, the response page carrying the identifier and carrying browser instructions." The Examiner appears to allege that claim 38 "lists all the same elements of claims 20-26 and 36." Office Action, page. 7. Applicants disagree since the noted feature does not appear in any of claims 20-26 and 36. Moreover, neither Brandt nor Keorkunian discloses or

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suggests the noted feature of claim 38, and the Examiner has not made any showing to the contrary. Accordingly, claim 38 is patentable over <u>Brandt</u> and <u>Keorkunian</u>, whether taken alone or in combination, and the rejection of claim 38 under 35 U.S.C. §103(a) should be withdrawn.

CONCLUSION

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

On the basis of the foregoing amendments, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-040-NATL/2000P00016WOUS01.

Respectfully submitted,

Date: 12 July 2007
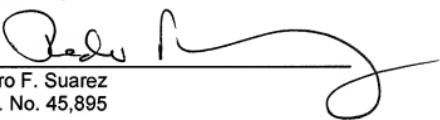
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